

**CONWELL, LLC**  
ATTORNEYS AT LAWRECEIVED  
CENTRAL FAX CENTER

NOV 25 2005

2138 Priest Bridge Court  
Suite 4  
Crofton, MD 21114  
Phone: 410.451.2707  
Fax: 410.451.2706  
www.conwellusa.com

Scott Conwell, Esq.  
Member and Chairman (MD, DC)  
[scott@conwellusa.com](mailto:scott@conwellusa.com)

John S Nargiso, Esq.  
Of Counsel (NY, DC)  
[nargiso@conwellusa.com](mailto:nargiso@conwellusa.com)

Kevin Michael Reilly, Esq.  
Of Counsel (DC)  
[kevin@conwellusa.com](mailto:kevin@conwellusa.com)

Mary Beth Tung, Ph.D.  
Patent Agent  
[mtung@conwellusa.com](mailto:mtung@conwellusa.com)

**FAX**      *Mail Stop: AF***To: Examiner Mendoza, AU 3731****From: Mary B. Tung, #50,007****FAX****Number: 571-273-8300****Sender's****Phone #: 410-451-2707****Date: November 25, 2005****Sender's****FAX #: 410-451-2706****Re: SN: 09/834,208 After Final Reply****# Pages: <sup>21</sup>~~19~~, including coversheet****Comments:**

The following correspondence is being submitted for appropriate action by the U.S. Patent and Trademark Office via facsimile transmission:

Fax Coversheet,  
Fee Transmittal,  
Credit Card Form PTO 2038,  
Cover letter,  
Notice of Appeal,  
Pre-Appeal Brief Request for Review,  
Letter for Notice of Appeal (2 pages),  
Attachment to the Pre-Appeal Brief Request for Review (5 pages), and  
After Final Request for Reconsideration (7 Pages).

**This fax is directed in confidence solely to the person(s) named above and may not otherwise be distributed, copied or disclosed. If you have received this fax in error, please notify us immediately or destroy it without making a copy.**

Litigation / Appeals ★ Homeland Security ★ Immigration ★ International ★ Corporate  
Patents / Trademarks / Intellectual Property / Technology ★ Contracts ★ Growing Companies

NOV 25 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	85
-------------------------	------	----

### Complete if Known

Application Number	09/834,208
Filing Date	April 13, 2001
First Named Inventor	G. Thomas Wolf
Examiner Name	M. Mendoza
Art Unit	3761
Attorney Docket No.	0022.010001

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

- 20 or HP =	x	=	=
--------------	---	---	---

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP =	x	=	=
-------------	---	---	---

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 =	/ 50 =	(round up to a whole number) x	=	=
---------	--------	--------------------------------	---	---

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Reinstatement of Notice of Appeal (minus \$165 previously paid)

Fees Paid (\$)

\$250.00

#### SUBMITTED BY

Signature <i>Mary B. Tung</i>	Registration No. (Attorney/Agent) 50,007	Telephone 410-451-2707
Name (Print/Type) Mary B. Tung, Ph.D.	Date November 25, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NOV 25 2005

**CONWELL, LLC**  
ATTORNEYS AT LAW2138 Priest Bridge Court  
Suite 4  
Crofton, MD 21114  
Phone: 410.451-2707  
Fax: 410.451-2706  
www.conwellusa.com**Mary Beth Tung**  
Registered Patent Agent  
[mtung@conwellusa.com](mailto:mtung@conwellusa.com)  
Direct Phone: 410-451-2707**Scott A. Conwell, Esq.**  
Principal Shareholder (MD, DC)**John S. Nargiso, Esq.**  
Of Counsel (NY, DC)**Kevin Michael Reilly, Esq.**  
Of Counsel (DC)**Mary Beth Tung, Ph.D.**  
Patent Division Director  
(Practice Limited to US Patent and  
Trademark Office)*Mail Stop: AF*

November 25, 2005

**VIA FACSIMILE**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application  
Appl. No. **09/834,208**; Filed: April 13, 2001  
For: **Oxygen Mask**  
Inventor: G. Thomas Wolf  
Our Ref: 0022-010001

Sir:

The following correspondence is being submitted for appropriate action by the U.S.  
Patent and Trademark Office via facsimile transmission:

Fax Coversheet,

Fee Transmittal,

Credit Card Form PTO 2038,

Cover letter,

Notice of Appeal,

Pre-Appeal Brief Request for Review,

Letter for Notice of Appeal (2 pages),

Attachment to the Pre-Appeal Brief Request for Review (5 pages), and

After Final Request for Reconsideration (7 Pages).

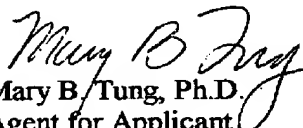
Litigation / Appeals ★ Homeland Security ★ Immigration ★ International ★ Corporate  
Patents / Trademarks / Copyrights ★ Technology ★ Contracts ★ Growth Companies

**CONWELL, LLC**  
ATTORNEYS AT LAW

Page 2 of 2

It is respectfully requested that the following response be entered and considered by the Examiner.

Respectfully submitted,

  
Mary B. Tung, Ph.D.  
Agent for Applicant  
Registration No. 50,007

Litigation / Appeals ★ Homeland Security ★ Immigration ★ International ★ Corporate  
Patents / Trademarks / Copyrights ★ Technology ★ Contracts ★ Growth Companies